

Tuesday, July 23, 2013

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 AM.

PRESENT: Supervisors: Frank R. Mecham, Adam Hill, Debbie Arnold and Acting Chairperson Bruce S. Gibson

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY ACTING CHAIRPERSON BRUCE S. GIBSON.

Consent Agenda – Review and Approval:

1-18. This is the time set for consideration of the Consent Agenda.

Acting Chairperson Gibson: opens the floor to public comment.

The action taken for Consent Agenda items 1 through 18 on the following vote is indicated for each item.

Motion by: Frank R. Mecham
Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Bid Opening:

1. Letter transmitting plans and specifications (Clerk’s File) for Oklahoma Avenue Sewer Line Replacement, County Operations Center, for Board approval and advertisement for construction bids. The recommended bid opening date is Thursday, August 22, 2013. District 2.

The Board approves as recommended by the County Administrative Officer.

2. Letter transmitting plans and specifications (Clerk’s File) for Los Osos Valley Road Widening between Doris Avenue and Pine Avenue in Los Osos, for Board approval and advertisement for construction bids. The recommended bid opening date is Thursday, August 22, 2013. District 2.

Ms. Julie Tacker: speaks.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Administrative Office Items:

3. Request to appoint Gere Sibbach to the San Luis Obispo County Employees Pension Trust Board.

The Board approves as recommended by the County Administrative Officer.

4. Request to approve the recommended responses to the 2012-13 Grand Jury report titled “An Event is An Event – An Impact is An Impact” and forward these responses to the Presiding Judge of the Superior Court by August 1, 2013.

Ms. Sherri Danoff and Ms. Elsa Dawson: speak.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Board of Supervisors Items:

5. Submittal of a resolution recognizing Jean Hubbard on her 90th birthday and for her many years of service to the community of Arroyo Grande.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-173, adopted.

6. Request by Supervisor Adam Hill to appoint Eric Meyer as the District 3 representative on the San Luis Obispo County Planning Commission.

The Board approves as recommended by the County Administrative Officer.

7. Request to approve three re-appointments to the Children and Families Commission.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - District Attorney Items:

8. Request to approve a grant agreement for FY 2013-14 to receive funding from the State's Life and Annuity Consumer Protection Program in the amount of \$45,000 and submittal of a resolution authorizing the District Attorney to sign the State agreement and other grant related documents.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-174, adopted.

9. Request to approve the District Attorney to sign a renewal grant agreement (Clerk's Filed), on the Board's behalf, with the California Emergency Management Agency (CalEMA) to receive \$180,950 for the continuing administration of a Victim/Witness Assistance Program for FY 2013-2014.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - General Services Agency Items:

10. Request to accept bid results and award a construction services contract for Job Order Contracting for FY 2013-14 with T. Simons Co. Inc.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Health Agency Items:

11. Request to approve a renewal contract (Clerk's File) with Silvia Ortiz, Ph.D. for FY 2013-14 in the amount of \$120,000 to continue to provide bilingual, bicultural mental health services.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Library Items:

12. Submittal of a resolution to amend the Position Allocation List for Fund Center 377 - Library by deleting a 0.50 FTE Supervising Library Assistant, 2.00 FTE Supervising Librarians and 2.00 FTE Library Managers and adding a 0.50 FTE Library Assistant, 3.00 FTE Regional Librarians and a 1.00 FTE Library Support Services Manager.

Mr. Brian Reynolds – Library Director: amends the resolution to correct a typographical error.

This item is amended by correcting a typographical error to the Fund Center listed on the resolution. The Fund Center should read 377 not 377377. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board. RESOLUTION NO. 2013-175, adopted as amended.

Consent Agenda - Planning & Building Items:

13. Submittal of a resolution to approve an Avigation Easement from Corral de Piedra Land Company, a California Corporation, to the San Luis Obispo County Regional Airport. District 3.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-176, adopted.

Consent Agenda - Probation:

14. Request to approve a FY 2013-14 contract in the amount of \$151,288, to be paid out of AB 109 realignment funds, for the Superior Court to provide County Public Safety Departments with dedicated legal processing services for 2011 Public Safety Realignment cases.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Public Works Items:

15. Submittal of a resolution authorizing the Public Works Director to execute agreements with the Cities of Arroyo Grande and Pismo Beach for the purpose of transferring underground utility allocations (Tariff Rule 20A). All Districts.

Ms. Shelly Higginbotham – Mayor of Pismo Beach and Mr. Erik Howell: speak.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-177, adopted.

16. Submittal of a resolution for the addition of delinquent water and sewer availability charges for County Service Areas Nos. 7-A (Oak Shores), 16 (Shandon), 18 (Country Club Estates) and 23 (Santa Margarita) to the 2013-14 Property Tax Bills. Districts 1, 3, and 5.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-178, adopted.

Consent Agenda Public Works - Board Sitting as Flood Control District:

17. Request to approve an agreement for professional engineering services with Fugro Consultants in the amount of \$200,000 for the Santa Maria Groundwater Basin Characterization and Planning Activities. Districts 3 & 4.

Mr. Jeff Edwards: speaks.

The Board approves as recommended by the County Administrative Officer.

18. Request to approve committee appointments of Bill Nicolls and Greg Ray, representing the City of Grover Beach, and Kurt Bollinger, as Agricultural At-Large Member, to the Water Resources Advisory Committee of the Flood Control and Water Conservation District. All Districts.

The Board approves as recommended by the County Administrative Officer.

Public Comment Period:

19. This is the time set for members of the public wishing to address the Board on matters other than scheduled items.

Ms. Julie Tacker and Ms. Linde Owen: comment on the submittal of request to speak slips. Additionally, Ms. Owen, presents and discusses photographs of the construction in Los Osos and the

need for oversight on the wastewater project.

Mr. Jeff Edwards: speaks to the Grover Beach lodge project and the potential move of the equestrian staging facility to Oceano.

Mr. David Weisman - Alliance for Nuclear Responsibility: questions the status of the County’s economic future plan in the absence of annual revenue and support from the Diablo Canyon Nuclear Power Plant.

Dr. C. Hite: encourages everyone to visit the San Luis Obispo Steynberg Gallery to view an art display regarding the community’s response to violence; and addresses various community concerns in Los Osos.

Mr. Eric Greening: discusses information that needs to be compiled prior to hearing the upcoming items on August 6, 2013 and August 29, 2013 regarding the Paso Robles Groundwater Basin.

Mr. Bob Blair: speaks to water supply in various locations around the County; the need for a groundwater study; and presents and discusses a report of the Santa Maria Valley groundwater basin and management areas. **No action taken.**

Board Business:

- 20. Report to the Board regarding the financial condition of Airport Services.

Acting Chairperson Gibson: opens the floor to public comment.

Mr. Jeff Edwards: speaks.

Acting Chairperson Gibson: receives and files the report.

- 21. Consideration of a terminal development report and a request for approval of Schematic Design Phase (Phase 2) of Terminal Design/Development Project for the San Luis Obispo County Regional Airport (SBP); and a request for authorization to move to third and final phase, Design Development of the project.

Acting Chairperson Gibson: opens the floor to public comment.

Mr. Tim Williams: speaks.

The Board receives and files the terminal development report and approves the Phase 2 Schematic Design results of Passenger Terminal Design/Development at San Luis Obispo County Regional Airport (SBP) and authorizes Airport Services to move to Phase 3, Design Development.

Motion by: Adam Hill
Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

- 22. Report to the Board on results of Airline Guarantee Programs in different communities.

Acting Chairperson Gibson: opens the floor to public comment.

Mr. Mike Manchak: speaks.

The Board directs staff to continue developing airline revenue guarantee program scenarios for the San Luis Obispo County Regional Airport (SBP), work with interested parties such as the business community and the tourism industry, and come back at earliest possible date with proposals for the

Board to consider.

Motion by: Adam Hill
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

23.
- Request to approve a contract with Sixel Consulting Group, Inc. for air service development consulting and recruiting air carrier services in an annual amount not to exceed \$25,000. Additional incentive payments for air carrier recruiting services will be based upon the number of new airlines or new routes recruited under the conditions specified in this contract.

Acting Chairperson Gibson: opens the floor to public comment without response.

The Board approves the contract and instructs the Acting Chairperson to sign the document, and authorizes the General Services Agency Director authority to sign any extensions authorized in this agreement.

Motion by: Adam Hill
Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

24.
- Request to approve: 1) the Mental Health Services Act Annual Update for Fiscal Year 2013-14; 2) a resolution amending the Position Allocation List to add a 1.0 FTE Mental Health Program Supervisor to Fund Center 166 - Behavioral Health; and 3) a corresponding budget adjustment in the amount of \$128,229 to Fund Center 166.

(This item is amended, per the Addendum to the Agenda, by replacing Attachment 1 with the correct attachment, the Position Allocation List resolution, due to an error when loading the attachment into the system; and by replacing Attachment 3 to add the required page numbering.)

Acting Chairperson Gibson: opens the floor to public comment without response.

The Board approves the Mental Health Services Act Annual Update for Fiscal Year 2013-14; RESOLUTION NO. 2013-179, a resolution amending the position allocation list resolution for Fiscal Year 2013-14, adopted. Furthermore, the Board approves a corresponding budget adjustment in the amount of \$128,229 from the MHSA trust to Fund Center 166.

Motion by: Adam Hill
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Closed Session Items:

25.
- The Board announces they will be going into Closed Session regarding:

I. PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet

in closed session concerning the following items:

- A. Conference with Legal Counsel-Existing Litigation (Government Code, section 54956.9(a).) (Formally initiated) 1. Mountain Cascade, Inc. v. SLO Co. Flood Control & Water Conservation District, et al.; 2. Negranti & Sons v. San Luis Obispo County; 3. Los Osos Community Services District v. County of San Luis Obispo, et al. (Golden State Water).
- B. Conference with Legal Counsel-Anticipated Litigation (Government Code, section 54956.9.) 4. Significant exposure to litigation (Government Code, section 54956.9(b).) No. of cases 2. Facts and circumstances not known to potential plaintiff which indicate significant exposure to litigation. 5. Initiation of litigation (Government Code, section 54956.9(c).) No. of cases 2.

II. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code ' 54957.6.)

- A. It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator Tami Douglas-Schatz concerning the following: Name of employee organizations are: 6. SLOCEA-Public Services, Supervisors, Clerical; 7. Deputy Sheriff’s Association; 8. DAIA; 9. SLOCPMPOA; 10. DCCA; 11. SLOGAU; 12. Sheriffs’ Management; 13. SLOCPPOA.
- B. It is the intention of the Board, sitting as the Governing Board of the San Luis Obispo County In Home Support Services Public Authority, to meet in Closed Session to have a conference with its Labor Negotiator concerning the following: Name of employee organization: 14. United Domestic Workers.

Acting Chairperson Gibson: opens the floor to public comment without response.

Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the items discussed during Closed Session as follows: no report required as no final action was taken and the Board goes into Open Public Session.

Presentations:

- 26. Submittal of a resolution recognizing Arthur F. Bacon upon his retirement for over 29 years of service to the residents of the County of San Luis Obispo.

Mr. Art Bacon: speaks.

RESOLUTION NO. 2013-180, a resolution recognizing Arthur F. Bacon for over 29 of service to the residents of the County of San Luis Obispo, adopted.

Motion by: Frank R. Mecham
Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

- 27. Submittal of a resolution commending Cindy Couzzi upon her retirement after thirty-one years of service to San Luis Obispo County General Services Agency.

Ms. Janette Pell – General Services Agency Director: speaks.

RESOLUTION NO. 2013-181, a resolution commending Cindy Couzzi in recognition of thirty-one years of service with San Luis Obispo County, adopted.

Motion by: Frank R. Mecham
Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
-------------	------	------	---------	--------

Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

28. Submittal of a resolution recognizing July 21-27, 2013 as "Probation Services Week" in San Luis Obispo County.

Mr. Jim Salio – Chief Probation Officer: speaks.

RESOLUTION NO. 2013-182, a resolution recognizing July 21 - 27, 2013 as Probation Services Week , adopted

Motion by: Frank R. Mecham
Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Board Business:

29. Update on the implementation of 2011 Public Safety Realignment Act (AB 109) in San Luis Obispo County.

Acting Chairperson Gibson: opens the floor to public comment without response.

The Board receives the update on the implementation of the 2011 Public Safety Realignment Act (AB109) in San Luis Obispo County. No action taken.

Hearings:

30. Hearing to consider a resolution amending the 2006, 2009, 2011, and 2012 Action Plans to reallocate Community Development Block Grant (CDBG) funds. All Districts.

Acting Chairperson Gibson: opens the floor to public comment without response.

RESOLUTION NO. 2013-183, a resolution approving and authorizing submittal of an amendment to the Urban County of San Luis Obispo Program Year 2006, 2009, 2011 and 2013 Action Plans of the Urban County of San Luis Obispo 2010 Consolidation Plan for the Community Development Block Grant (CDBG), adopted.

Motion by: Frank R. Mecham
Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

31. Hearing to consider an Order to Abate Nuisances on the property known as 480 Mesa Grande Drive, Shandon, California, owned by respondents F. James and Rosann Inguito. District 1.

The Clerk swears in all parties that will be presenting testimony.

Acting Chairperson Gibson: opens to the floor to the respondents F. James and Rosann Inguito without response. The respondents are not present. Furthermore, opens the floor to public comment

without response.

RESOLUTION NO. 2013-184, a resolution enacting findings and orders following Nuisance Abatement hearing regarding property located at 480 Mesa Grande Drive, Shandon, California and owned by F. James and Rosann Inguito, adopted.

Motion by: Frank R. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

32. Hearing to consider a resolution authorizing the addition of delinquent service charges for County Service Area 10A (Cayucos), to the 2013-14 Property Tax Bills. District 2.

Acting Chairperson Gibson: opens the floor to public comment without response.

RESOLUTION NO. 2013-185, a resolution verifying delinquent service charges on County Services Area 10A (Cayucos – Water Service), adopted. Further directs the Clerk to file a copy of the approved Resolution with the County Auditor prior to August 10, 2013.

Motion by: Debbie Arnold

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **JULIE L RODEWALD**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, July 23, 2013, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

JULIE L RODEWALD, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ Annette Ramirez, Deputy Clerk-Recorder

DATED: July 23, 2013